[To accompany bill H. R. No. 711.]

JANUARY 16, 1857.

Mr. Knowlton, from the Committee of Claims, made the following

REPORT.

The Committee of Claims, to whom was referred the memorial of Major H. L. Kendrick, report:

The facts in this case are clearly and correctly set forth in the Senate report upon the claim, and it is therefore annexed hereto and made part of this report.

The committee report herewith a bill for the relief of the petitioner,

and recommend its passage by the House.

IN THE SENATE OF THE UNITED STATES, APRIL 7, 1852.

Mr. Brodhead made the following report, to accompany bill S. No. 347.

The Committee of Claims, to whom was referred the memorial of Major H. L. Kendrick, report:

The facts in this case are clearly stated in the report made thereon at the last Congress. The petitioner asks a credit in the settlement of his accounts for \$1,294 66 of public funds, which was stolen from his possession during its transportation from Puebla to Vera Cruz.

his possession during its transportation from Puebla to Vera Cruz.

It is believed that Major Kendrick used all reasonable vigilance that the most prudent caution could suggest to protect the money, and that the loss can be in no way chargeable to the slighest negligence on his part.

The previous report is hereto annexed. The committee report a bill.

IN SENATE, JANUARY 28, 1850.

The Committee of Claims, to whom was referred the petition of Brevet Major H. L. Kendrick, report:

That the evidence seems to establish the following facts: Major Kendrick was ordered by General Worth, about the middle of June,

1848, to sell certain ordnance and ordnance stores, property of the United States, at Puebla, in Mexico. He made the sales, and was charged with the transportation of the money received (it being silver' to Vera Cruz. He put the money into wooden boxes, strongly made) and placed them on board two wagons, over which he placed a special guard; and the more effectually to insure the safety of the money, he ordered Corporal W. J. Dickson, who had been doing duty in the ordnance department, both at Puebla and on the march, in addition to the guard, to watch the specie wagons, and to sleep in one of them. While the command was at Jalapa, on the march to Vera Cruz, on the night of the 6th of July, 1848, one of the specie boxes was pried open, and \$1,294 66 was stolen from it. On the same night said Dickson, who up to that time had sustained a trustworthy character, deserted the service under circumstances leaving no reasonable doubt of his having taken the money. It appears Major Kendrick was unable to obtain iron chests at Puebla for the transportation of the money, and was obliged to make use of the wooden boxes. The boxes were too large to place in the tent, and admit its use for other purposes. The wagons were placed only ten or twelve yards from the tent, and in full view of it. The special guard was at all times kept over them. Major Kendrick frequently visited the wagons, giving and repeating orders calculated to make the guard vigilant and watchful. He never left the camp except on duty, and never without calling the attention of Lieutenant Totten (the only subaltern in the company) and the guard to be particularly watchful of these wagons. He seems to have used all reasonable efforts for the apprehension of the thief and the recovery of the money. The said Dickson, prior to this act, had been deemed by the officers and non-commissioned officers of the company honest and faithful.

From all the evidence, the committee are of opinion that the money was actually stolen as alleged, and that the loss was not attributable to any neglect of duty or want of care on the part of the memorialist. They therefore report the accompanying bill for his relief.

FORT DEFIANCE, NEW MEXICO, September 15, 1856.

Sir: I had the honor, last February, of addressing a letter to the chairman of the House Committee of Claims, before it was known here who that chairman was. Afterwards, (April 3, 1856,) when I

became informed upon that point, I wrote to you.

As I have seen no notice in the congressional proceedings of the subject to which they refer, I fear they failed to reach you. I therefore venture to send you copies of them, together with oopies of testimony then sent, with perhaps one or two additional papers. I have other testimony which is included in that on the files of the Senate and in the office of the Second Comptroller. I presume, however, that what I send now will be sufficient, and I do not wish to trespass on your time to read more. The papers which I do enclose are sent

in order to save you the trouble of causing them to be sought for elsewhere.

It will be observed that the robbery occurred eight years ago; the delay, if protracted much longer, will, I fear, be used as an argument against the claim itself. You will observe, however, that the matter was before Congress soon after I sustained the loss, nor have I been idle since. But a seven years' residence in this country has given me little opportunity to urge it efficiently.

I now earnestly invoke your good offices in the case.

Very respectfully, your obedient servant,

H. L. KENDRICK,

Captain Second Artillery, and Brevet Major.

Hon. J. R. Giddings, or Chairman House Committee of Claims, Washington, D. C.

> FORT DEFIANCE, NEW MEXICO, February 10, 1856.

Sir: Permit me, as briefly as possible, (for I am aware that your time is valuable,) to call your attention to my claim to have an allowance of \$1,294 66 in the settlement of my ordnance accounts at the treasury. To save you the trouble of looking farther than necessary, I enclose a copy of a bill which passed the Senate some sessions since, but failed to pass the House for want of time. I am informed that a similar bill passed the Senate at a later session, and failed again in the House as before.

The testimony in the case, which I suppose remains on the files of the Senate and House, is full; and the letter of the then Second Comptroller, (Mr. Parris,) upon which I greatly rely, will be perfectly satisfactory to you. But should the case go to the Court of Claims, and should that body require oral testimony, or any testimony other than is in the documents on the congressional files, and that of myself, I fear it could not be obtained. Nearly every one whose name is in the testimony I know to be dead, having assisted to bury many of them on the Missouri river, in the cholera period of 1849.

Excuse me for urging this matter upon your attention, since I am in danger of having my pay stopped to make good a loss for which I am in no way at fault, and from which the Comptroller does not relieve me "solely for the want of the legal power to do so."

Very respectfully, your obedient servant,

H. L. KENDRICK, Brevet Major U. S. A.

CHAIRMAN OF HOUSE COMMITTEE OF CLAIMS, Washington, D. C.

TREASURY DEPARTMENT, 2D COMPTROLLER'S OFFICE, January 9, 1849.

Sir: In reply to yours of yesterday, in which you request "to be informed whether, in declining to allow in your account current the item of \$1,294 66, (ordnance funds stolen at Jalapa,) I did so because I thought the proofs of the loss and the care to prevent that loss insufficient," I have to state that such was not the ground of my action. From the proof exhibited, as well as from the opinion of Col. Talcott, the head of the Ordnance Bureau, I was satisfied that the money was actually stolen as alleged, and that the loss was not attributable to any negligence or want of proper care on your part. I declined to credit you with the amount stolen, solely upon the ground of want of power legally so to do, as all cases of similar character have invariably been submitted to Congress, and admitted only under special acts of that body.

Very respectfully, your obedient servant,

ALBION K. PARRIS, Comptroller.

Major H. L. KENDRICK, 2d U. S. Artillery.

> Adjutant General's Office, February 21, 1849.

I certify that the foregoing is a true copy from the original.

E. D. TOWNSEND,

Assistant Adjutant General.

Ordnance Office, Washington, August 31, 1848.

As regards the report of the board of survey relating to loss of part of these proceeds of sale, had the loss been that of the stores before they were converted into money, I should at once recommend that Captain Kendrick be relieved from the charges, such a case being provided for by the 94th article of the ordnance regulations; and as there appears to be no difference in the equity of the case, I recommend that he be credited for the money so lost.

I am, sir, &c.,

G. TALCOTT,
Colonel of Ordnance.

J. M. McCalla, Esq., Second Auditor.

Ordnance Office, January 11, 1849.

I certify that the foregoing is a true extract from the original letter, and is the whole of it which refers to that portion of the proceeds of the sale which was lost by unavoidable accident.

WM. MAYNADIER, Captain of Ordnance, Assistant to Colonel of Ordnance.

> Adjutant General's Office, February 21, 1849.

I certify that the above is a true copy.

E. D. TOWNSEND, Assistant Adjutant General.

Proceedings of a Board of Survey, held at Vera Cruz, Mexico, in virtue of the following order, viz:

ORDERS No. 10.

Headquarters 2d Artillery, Vera Cruz July 13, 1848.

A board of survey, to consist of Captain Brooks, Captain Luther, and 2d Lieutenant Merchant, 2d artillery, will assemble to-morrow morning, to examine into the facts connected with the loss of a sum of money in the charge of Captain Kendrick, 2d artillery, and belonging to the ordnance department. The board will give an opinion thereon.

By order of Lieutenant Colonel Monroe: H. C. PRATT, Adjutant.

VERA CRUZ, MEXICO, July 14, 1848.

The board met pursuant to the above order; all the members present. The board then proceeded to the examination of Captain Kendrick, Lieutenant Totten, Sergeant Teel, Corporal Jordan, and Provost

Reitmeyer, and find the following to be the facts, viz:

That Captain H. L. Kendrick, 2d artillery, during the march from Puebla to Vera Cruz, Mexico, had the care of and was charged with the transportation of certain funds, being the proceeds of the sales of ordnance and ordnance stores, the property of the United States in Puebla; that during the time that the command was encamped at Jalapa, (the night of the 6th July, 1848) one of the specie boxes was pried open, and the sum of \$1,294 66 taken therefrom; that at this

time Corporal M. J. Dickson, who had been doing duty in the ordnance department in Puebla, and on the march, and who, in addition to the guard and Captain Kendrick, had orders to watch the specie wagons, deserted the service of the United States, under circumstances leaving no doubt on the minds of the board that he feloniously took the money. The board further find that it was impossible for Captain Kendrick to obtain in Puebla or Jalapa iron chests for the transportation of this money, and he was obliged to make use of wooden boxes, which were made as secure as possible, being heavy and strongly nailed; that these boxes were too large to have been taken into his tent, and admit the use of the tent for any other purpose; that in the wagons, guarded as they were, the specie was as safe as it could be in an enemy's country; that the two specie wagons were placed only at some ten or twelve yards from, and in full view of the tent; that a special guard was at all times kept over these wagons, and that Corporal Dickson, for greater security, was ordered to sleep in one of them; that Captain Kendrick frequently visited these wagons, giving and repeating orders calculated to make the guard vigilant, himself manifesting great watchfulness over them; that he seldom left camp, and then only on duty, never leaving it at night, and never without directing the attention of Lieutenant Totten, (the only subaltern with the company,) the guard, and the sergeant of the company, to the matters in their charge; that he made use of every effort to cause the apprehension of the thief; and that Corporal Dixon, before this act, was deemed an honest and faithful man by the officers and non-commissioned officers of the company, and was properly made use of as an additional security by Captain Kendrick.

In consequence of the regiment having been ordered to embark for Fort Columbus, N. Y., the board adjourned to meet at that place.

FORT COLUMBUS, NEW YORK, August 23, 1848.

The board met pursuant to adjournment; all the members present. The proceedings of the board were then read over, and, after maturely deliberating all the circumstances of the case, the board is unanimously of the opinion that no blame can be attached to Captain Kendrick in the premises, he having manifested great care and anxiety over the funds in his charge, and taken every precaution to avoid loss therein.

HORACE BROOKS,
Capt. 2d Artillery.

R. A. LUTHER,
Capt. 2d Artillery.

A. MERCHANT,
2d Lieut. 2d Artillery, Recorder.

Approved:

J. MONROE, Brevet Col. 2d art'y, commanding regiment. Adjutant's Office, 2d Artillery, Governor's Island, August 24, 1848.

I certify that the foregoing is a true copy of the original proceedings of the board of survey instituted by regimental order No. 10, dated Vera Cruz, July 13th, 1848.

H. C. PRATT,
Adjutant 2d Artillery.

I certify that the foregoing is a true copy.

E. D. TOWNSEND,

Assist. Adj't General.

State of New York,
City and county of New York.

Personally appeared Captain H. L. Kendrick, United States army, before me, E. Delafield Smith, a commissioner of deeds, and deposed as follows:

I was ordered by Major General Worth, commanding department of Puebla, &c., on or about the 15th or 16th of June, 1848, to sell certain ordnance, the property of the United States, in Puebla, Mexico; which sales I made, and was charged with the transportation of the money received (specie—silver) to Vera Cruz. Being unable to procure iron chests, the money was placed in wooden boxes, strongly

made and well nailed, and these placed in two wagons.

On making my examination of these wagons on the 7th July—we were then encamped at Jalapa—I found that one of the specie boxes had had its cover pried off, and an amount of money, which I have ascertained to be \$1,294 66, taken therefrom. As Corporal W. J. Dickson, who had been doing duty in the ordnance depot in Puebla, and who, for greater security, had been ordered to sleep in one of the specie wagons, deserted the service of the United States on the night of the robbery, I have no doubt of his having abstracted the money in question. I made use of every effort to cause the apprehension of the said Dickson, sending a description of him to the different guards in the city, and to the governor, and causing advertisements in English and Mexican, describing the deserter, and offering rewards for his apprehension, to be posted up in Jalapa and Vera Cruz, and sending them to Puebla and Mexico; but without success.

A special guard was placed over these specie wagons, which was frequently visited by me day and night, to secure its vigilance, strict orders to the same end being often given. Corporal Dickson, who under my supervision had orders, in addition to the guard, to watch these wagons, had always borne the character of a trustworthy man in the opinion of the officers and non-commissioned officers of the

company.

H. L. KENDRICK, Captain 2d Artillery.

Sworn to and subscribed before me, this twenty-third day of August 1848.

E. DELAFIELD SMITH, Commissioner of Deeds for the city and county of New York. ADJUTANT GENERAL'S OFFICE, February 21, 1849.

I certify that the above is a true copy from the original.

E. D. TOWNSEND, Assistant Adjutant General.

STATE OF NEW YORK, City and county of New York, 88.

Personally appeared Lieut. J. S. Totten, 2d artillery, before me, and made oath as follows:

I accompanied Captain Kendrick's command from Puebla to Vera Cruz, Mexico, between the 18th of June and 14th July, 1848, and was the only officer present with the company besides Captain Kendrick. During this time Capt. Kendrick was in charge of two specie wagons.

During the time the command remained in camp at Jalapa, these wagons were placed at some ten or twelve yards from the tent occupied by Captain Kendrick and myself, and in view of the same. A special guard was placed over these wagons, and orders given repeatedly to the sentinels and non-commissioned officers to be particularly watchful of these wagons. Captain Kendrick was never absent from camp at night, and seldom during the day, and never without mentioning it to me, that I might have a care of matters during his absence.

On or about the 7th of July, (while at Jalapa,) the captain came into the tent and stated that one of the specie boxes had been broken open; and as Corporal Dickson had disappeared, it was supposed to have been broken open by him. He has not since been with the company. To the best of my knowledge and belief, (I assisted in counting the money,) \$1,294 66 were taken from the box. All the boxes were very securely nailed. I had no reason until this event to believe Corporal Dickson, who had been acting ordnance sergeant, and who, under supervision of Captain Kendrick, had been placed (in connexion with the guard) in the especial charge of these specie wagons, to be otherwise than an honest and trustworthy man. I have known him since August 9, 1847.

I heard a man in the employment of the quartermaster's department say to Captain Kendrick that he was unable to find any iron

safes in Jalapa for sale.

I know of no additional and reasonable precautions that Captain Kendrick could have taken to avoid this robbery. He appeared anxious and at all times cautious of his charge.

JOSEPH SWIFT TOTTEN,

1st Lieut. 2d Artillery.

Subscribed and sworn to before me, this 15th day of August, 1848.

E. DELAFIELD SMITH,

Commissioner of Deeds.

Adjutant General's Office, February 21, 1849.

I certify that the above is a true copy from the original.

E. D. TOWNSEND,

Assistant Adjutant General.

State of New York, City and county of New York, } ss:

Personally appeared Sergeant M. C. Teel before me, H. Denison

Townsend, and certified as follows:

I am 1st sergeant of company B, 2d artillery. I accompanied the command in charge of wagons containing ordnance stores, and also two specie wagons, the whole in charge of Captain Kendrick, from Puebla to Vera Cruz. A special guard was kept over these two wagons, and they were always placed near Captain Kendrick's tent. I was present with him when he made his inspection of them on the 7th July at Jalapa. I saw that one of the specie boxes had had its cover pried off. There was a bag of specie at each end of this box, and an empty space between them large enough to contain another bag of the same size, or a little larger; these bags were partially open. This box was a substantial one, and strongly nailed.

Suspicion fell on Corporal Dickson, who, as an additional safeguard, had been directed to sleep in the wagon in which the broken box was found; and, on inquiry, he could not be found, nor has he

since been heard of to my knowledge.

His description was at once sent to the American governor of Jalapa, and to the various guards in the city, and patrols sent out.

I am well acquainted with Corporal Dickson; have known him for about two years; have been intimate with him; and never, until this robbery, had the least doubt of his perfect integrity. I deemed him a very proper person to be placed in the specie wagons, and this was

his general character in the company.

During our stay at Jalapa, Captain Kendrick was very seldom absent from camp; and never, to my knowledge, at night. Whenever he left, he called the attention of Lieutenant Totten (the only subaltern with the command) and my own to the matters in his charge. He always seemed anxious about this specie. He often visited the wagons and the guards by day and night. I do not know what additional safeguards he could have adopted. The specie, being in large boxes, (not filled on account of the too great weight,) could not have been put in his tent, and the tent be inhabited.

M. C. TEEL, 1st Sergeant Company B, 2d Artillery.

Sworn to and subscribed before me, this 23d day of August, A. D. 1848.

H. DENISON TOWNSEND, Commissioner of Deeds for the city.

ADJUTANT GENERAL'S OFFICE, February 21, 1849.

I certify that the above is a true copy from the original.
E. D. TOWNSEND,

Assistant Adjutant General.

STATE OF NEW YORK, City and county of New York, \ \ 8s:

Personally appeared Corporal Stephan, company D, 2d artillery, before me, E. Delafield Smith, a commissioner of deeds, and testified as follows:

I was on guard often over the specie wagons as a non-commissioned officer during the march from Puebla to Vera Cruz. Captain Kendrick visited the guard and wagons frequently during the day and night, giving and repeating orders to guard the wagons carefully; the wagons were near the captain's tent. If anything suspicious occurred, the captain was to be called up. If the sentinel saw any leave the wagons at night, he was to call for the corporal of the guard and have him examined. Captain Kendrick guarded the wagons as much as he possibly could. I was a tent-mate (during the daytime) of Corporal Dickson at Jalapa, and have known him for nearly two years, and always thought him a very honest man. I have not seen him since the night of the robbery.

JOHN STEPHAN.

Sworn and subscribed to before me, this 22d day of August, 1848.

E. DELAFIELD SMITH,

Commissioner of Deeds.

ADJUTANT GENERAL'S OFFICE, February 21, 1849. I certify that the above is a true copy from the original.

E. D. TOWNSEND,

Assistant Adjutant General.

State of New York, City and county of New York, } ss.

Personally appeared Sergeant George Orwell, company B, 2d artillery, before me, E. Delafield Smith, a commissioner of deeds, and de-

posed as follows:

I was often the non-commissioned officer of the guard placed over the specie wagons in charge of Captain Kendrick during the march from Puebla to Vera Cruz, and while we were encamped at Jalapa. The orders given by Captain Kendrick, and often repeated, were calculated to secure the vigilance of the sentinels, and he frequently visited the guard and wagons by day and night. No soldiers or citizens were allowed about the wagons and no one was to enter them after eight o'clock at night, or to leave them, unless to go to the sink, and then not to go beyond the bounds of the sentinels. If anything suspicious occurred, it was at once to be arrested, and Capt. Kendrick to be informed of it; and this by day and night. He seemed very anxious about the wagons in his charge. I do not know what more he could have done.

I have known Corporal Dickson, who had orders to sleep in one of the wagons for the purpose of watching it, for nearly two years. I am well acquainted with him; for a part of the time he lived in the same room with me. I always believed him an honest and trustworthy man, and he was so esteemed in the company until his disappearance at Jalapa. I do not know of any additional means that could have been taken to avoid loss. Captain Kendrick did all that could be done.

GEORGE ORWELL, Sergeant Company B, 2d Artillery.

Signed and sworn to before me, this 22d day of August, 1848.

E. DELAFIELD SMITH,

Commissioner of Deeds.

ADJUTANT GENERAL'S OFFICE,
February 21, 1849.
I certify that the above is a true copy from the original.

E. D. TOWNSEND, Assistant Adjutant General.

State of New York, City and county of New York, \$88.

Personally appeared Sergeant Morton, company B, 2d artillery, before me, E. Delafield Smith, a commissioner of deeds, and made oath as follows:

I have been non-commissioned officer of the guard over the specie wagons in charge of Captain Kendrick from Puebla to Vera Cruz. He was in the habit of visiting the guard and wagons at various times, day and night, and seemed very anxious and careful about them. I have known Corporal Dickson since June, 1846, and always believed him a trustworthy man. I have not seen him since the night of the robbery.

JAMES MORTON.

Sworn to and subscribed before me, this 22d day of August, 1848.

E. DELAFIELD SMITH,

Commissioner of Deeds.

ADJUTANT GENERAL'S OFFICE,
February 21, 1849.
I certify that the above is a true copy from the original.
E. D. TOWNSEND,
Assistant Adjutant General.

State of New York, City and county of New York, }88.

Personally appeared before me, E. Delafield Smith, a commissioner of deeds, Corporal H. H. Evertson, of company B, 2d regiment of ratillery, who deposes and says that he belonged to said company B,

2d artillery, and that he accompanied two United States wagons containing specie (ordnance funds belonging to the United States) on the march from Puebla, Mexico, to Jalapa, Mexico, and that, to the best of his knowledge, said specie was properly boxed and secured, and all precautions for its safe conveyance made use of by Captain Kendrick, the officer in charge; a strong guard being placed over it at all times, and the strictest orders given concerning the same, no person whatever being allowed to go near or interfere with said wagons except the commanding officer, teamsters in charge of the teams, and Corporal Dickson, a non-commissioned officer of B company, 2d artillery, who was acting ordnance sergeant, and in special charge of said wagons.

This deponent further states that he was, and had been, acquainted with said Dickson since his joining the company, in 1846, and that he had not the slightest doubt of his integrity, &c., until his desertion, at the city of Jalapa, Mexico, on the 6th or 7th July last, and that up to that time he believed him worthy of the trust reposed in

him by his commanding officer.

And furthermore, that the teamsters connected with the wagons referred to were not allowed to leave or visit their wagons during the night without reporting to the sergeant of the guard, it being his duty to report all suspicious circumstances immediately to the commanding officer.

HENRY H. EVERTSON.

Sworn and subscribed this 15th day of August, 1848, before me.

E. DELAFIELD SMITH,

Commissioner of Deeds.

Adjutant General's Office, February 21, 1849.

I certify that the above is a true copy from the original.

E. D. TOWNSEND,

Assistant Adjutant General.

State of New York, City and county of New York, } ss.

Personally appeared Corporal John J. Jordan, company B, 2d artillery, before me, E. Delafield Smith, a commissioner of deeds, and made oath as follows:

I was the non-commissioned officer of the guard placed over the specie wagons in charge of Captain Kendrick, at the time of the robbery of one of them in Jalapa. Privates Hale, Reitmeyer, and Mingus were members of the guard. Of the circumstances of the robbery I have no personal knowledge. Corporal Dickson, as an additional security, was ordered to sleep in one of the wagons, as he had been before. I have not seen him since that time. During the daytime the was a tent-mate of mine. I had no doubt of his being an honest man till the time of his disappearance. Captain Kendrick frequently visited

the guard, and called me up at night, and manifested much anxiety and care in reference to the money. His orders were very strict; to be vigilant, and if anything suspicious occurred he was to be called up. I do not see how he could have been more careful than he was to avoid loss. I have known Corporal Dickson since June, 1846.

JOHN J. JORDAN, Corporal company B, 2d artillery.

Sworn to and subscribed before me, this twenty-third day of August, 1848.

E. DELAFIELD SMITH, Com. of deeds for the city and county of N. Y.

Adjutant General's Office, February 21, 1849.

I certify that the above is a true copy from the original.
E. D. TOWNSEND,

Assistant Adjutant General.

Personally appeared Private Hale, company B, 2d artillery, before me, E. Delafield Smith, a commissioner of deeds, and made oath as follows:

I was a member of the guard specially in charge of the specie wagons in Jalapa, at the time one of them was robbed. Of the circumstances of the robbery I know nothing. I saw Corporal Dickson go into the wagon about fifteen minutes before I was relieved, and did not again leave while I was on post. I have known Corporal Dickson for two years, and never doubted his honesty until this affair. I have never seen him since that night.

BARNARD × HALE.

Sworn and subscribed to before me, this twenty-third day of August, 1848.

E. DELAFIELD SMITH, Com. of deeds for the city and county of N. Y.

> Adjutant General's Office, February 21, 1849.

I certify that the above is a true copy from the original.

E. D. TOWNSEND,

Assistant Adjutant General.

Personally appeared before me, E. Delafield Smith, a commissioner

of deeds, Private George Mingus, and made oath as follows:

I was a member of the guard at the time the specie wagon was robbed at Jalapa. I have no personal knowledge of the circumstances of the robbery. I have not seen Corporal Dickson since that night. He did not leave the wagon while I was on post.

GEORGE + MINGUS.

Sworn and subscribed to before me, this twenty-third day of August, 1848.

E. DELAFIELD SMITH, Com. of deeds for the city and county of N. Y.

> Adjutant General's Office, February 21, 1849.

I certify that the above is a true copy from the original.

E. D. TOWNSEND,

Assistant Adjutant General.

Personally appeared Private Reitmeyer, company B, 2d artillery, before me, E. Delafield Smith, a commissioner of deeds, and made oath as follows:

I was a member of the guard over the specie wagons, in Jalapa, at the time one of them was robbed. I saw Corporal Dickson leave the wagon at half-past eleven o'clock, about half an hour before I was relieved. He said he had the diarrhea. He did not go back while I was on post. He had a blanket on, folded in front, in the way soldiers wear their blankets, his hands being held in front. I have not seen him since. I saw Captain Kendrick visit the guard and the wagons that night several times, as he had also at other times.

AUGUST, REITMEYER.

Sworn to and subscribed before me, this twenty-third day of August, 1848.

E. DELAFIELD SMITH, Com. of deeds for the city and county of N. Y.

> Adjutant General's Office, February 21, 1849.

I certify that the above is a true copy from the original.

E. D. TOWNSEND,

Assistant Adjutant General.